

HACK 205 - NDH (10112027)

VIA FIRST CLASS MAIL

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FULBRIGHT & JAWORSKI L.L.P.


Eileen Sheffield

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : R.A. Hughes, et al.

Serial No : 10/018,045

Filed : December 10, 2001

For : SMALL CYCLIC MIMICS OF BRAIN DERIVED NEUROTROPHIC FACTOR (BNDF)

Art Unit : Unknown

Examiner : Unknown

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF
DEFECTIVE RESPONSE

Applicants received a Notification of Defective Response, dated January 11, 2006, and do not understand it.

The Notification refers to a response filed on January 11, 2006. This is impossible. The Notification was mailed on January 11.

Further, the Notification states, on page 1: "The paper copy or compact disc copy of the Sequence Listing is not the same as the computer Readable form of the 'Sequence Listing' as required by 37 CFR §1.821(e); however, the attachments to the Notification

states that the "CRF, paper copy of sequence listing and statement that both are same missing."

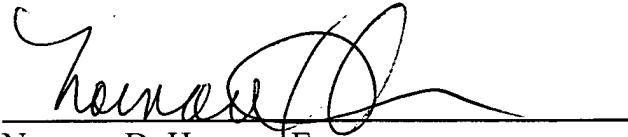
Applicant did file these. They were received. See the attached copy of the Return Receipt Postcard so indicating.

Applicants thus are uncertain as to what to do, and are resubmitting all papers in an attempt to have clarification on what is perceived as the problem.

Clarification is requested.

Respectfully submitted,

FULBRIGHT & JAWORSKI, L.L.P.



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IPIN
Box 507

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/018,045	Richard Anthony Hughes	HACK 205
INTERNATIONAL APPLICATION NO.		
PCT/AU00/00641		
I.A. FILING DATE	PRIORITY DATE	
06/07/2000	06/08/1999	

CONFIRMATION NO. 6157
371 FORMALITIES LETTER

OC000000017823387

Date Mailed: 01/11/2006

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 12/10/2001
- Copy of the International Search Report filed on 12/10/2001
- Copy of IPE Report filed on 12/10/2001
- Preliminary Amendments filed on 12/10/2001
- Biochemical Sequence Diskette filed on 04/08/2002
- Oath or Declaration filed on 06/14/2002
- Biochemical Sequence Listing filed on 04/08/2002
- Small Entity Statement filed on 04/08/2002
- Request for Immediate Examination filed on 12/10/2001
- Copy of references cited in ISR filed on 12/10/2001
- U.S. Basic National Fees filed on 12/10/2001
- Assignment filed on 05/14/2002
- Priority Documents filed on 12/10/2001
- Power of Attorney filed on 06/14/2002

Applicant's response filed 01/11/2006 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 03/08/2002 have not been completed.

- The paper or compact disc copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e). Applicant must provide a substitute paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application** OR a substitute computer readable form (CRF) copy of the "Sequence Listing". These two items must be the same. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8,

2000) and 1238 OG 145 (September 19, 2000).

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DONNA S GREENE

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PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/018,045	PCT/AU00/00641	HACK 205

FORM PCT/DO/EO/916 (371 Formalities Notice)